

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ROYAL INSURANCE COMPANY OF
AMERICA, an Illinois Corporation, ROYAL
INDEMNITY CO., a Delaware Corporation,
and AMERICAN AND FOREIGN
INSURANCE COMPANY, a Delaware
Corporation,

Plaintiffs,

vs.

LATROBE CONSTRUCTION COMPANY,

Defendant.

) Civil Action No. 00-2128

) The Hon. Francis X. Caiazza
) Chief Magistrate Judge

) **PLAINTIFFS' MOTION FOR LEAVE TO**
) **FILE REPLY BRIEF IN SUPPORT OF**
) **PLAINTIFFS' ENTITLEMENT TO PRE-**
) **JUDGMENT INTEREST**

) ELECTRONICALLY FILED

AND NOW, come Plaintiffs, and file this Motion for Leave to File a Reply Brief in Support of Plaintiffs' Entitlement to Pre-Judgment Interest, stating as follows:

1. During the pretrial conference held in this matter on January 25, 2006, the Court invited the parties to file trial briefs addressed to the issue of Royal's entitlement to an award of prejudgment interest.

2. Royal accepted the Court's invitation and filed such a trial brief. Latrobe did not.

3. On June 6, 2006, along with its Proposed Findings of Fact and Conclusions of Law, Latrobe filed a Memorandum in Opposition to Plaintiff's Phase II Trial Memorandum Regarding Royal's Entitlement to Prejudgment Interest.

4. In order to bring relevant authority not previously cited in its Trial Brief to the Court's attention, Royal now wishes to file a Reply Brief in Support of its Entitlement to Prejudgment Interest. A copy of this brief and accompanying Exhibits are attached hereto.

WHEREFORE, Royal respectfully requests that this Honorable Court grant it Leave to File a Reply Brief in Support of Plaintiffs' Entitlement to Pre-judgment.

Respectfully submitted,

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s/Bruce C. Fox

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Dated: June 14, 2006

Counsel for Plaintiffs Royal Insurance Company of
America, Royal Indemnity Co. and American and Foreign
Insurance Company

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he has on the 14th day of June 2006, served a copy of the within *Plaintiffs' Motion for Leave to File a Reply Brief in Support of Plaintiffs' Entitlement to Pre-Judgment Interest* on the person and at the address listed below via U.S. mail, 1st class:

Mark Gordon, Esq.
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s/Bruce C. Fox
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